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in the final determination of what is the exact pathology of this disease and what are the salient principles upon which clinical treatment can be practically and in genuine faith worked out, the quicker will the narcotic problem be under control.

They should master the pathology, clinical symptoms and therapeutics of addiction and have a finer understanding and conception of physiological and pharmaceutical chemistry, and when prescribing opium or morphine, or any of its alkaloids, derivatives or preparations, be able to appreciate how they act on the human system and what they are capable of doing.

We have now reached a certain stage in this gigantic problem and are halted by lack of medical information. Physicians must try to identify and isolate whatever material in the body causes the frightful suffering of the disease. English, Continental and American research authorities whom I consulted characterized it as a "phenomenon" in the human system. Alkaloidal and physiological chemistry, combined with careful and serious clinical study, will be the dominant factor that will ultimately determine the character of this phenomenon and its results.

It is very apparent that there seems to be a lack of sufficient number of medical authorities who have been trained so that they are competent to investigate this problem.

At the request of Senator George H. Whitney, chairman of the Joint Legislative Committee of New York State now investigating the matter of narcotic drug addition, I called attention to the very serious situation our boys in the American army would be forced to meet in the necessary administration of opiates at the front. It has been determined that a considerable proportion of those already wounded on the battle fields have had this condition unavoidably developed in them. We shall not be fulfilling our national duty to them if our activity and that of our scientific professions is not directed toward saving them now from narcotic slaughter, which is slow, agonizing torture and never ending misery of mind and body, compared with which a heroic death from the fire of shrapnel on the battlefields is infinitely more merciful, and we must find out the best way to help and save them.

We are awakening to the fact that ignorance has been the real cause of our narcotic drug problem. All the evidence or real value now coming out in the Whitney joint legislative committee investigations from people who are in a position to speak with real disinterested authority is showing to the world that we have handled the narcotic addicts like people of low tastes, weak wills, criminal and other tendencies, and that we have thought them to be such, while in reality these addicts have been persons sick and suffering great bodily torment, and that what they need most is medical and scientific consideration. We cannot any longer delude ourselves as to what drug addiction really is; camouflage of obsolete ideas is as foolish and dangerous in medical treatment as it is now shown to be in the general methods of procedure we have in the past adopted toward the narcotic addict.

New York City.

ALBERT J. WEBER.

COURTS—LAWS

Report of Committee on Vagrancy to the Ohio Branch Council of National Defence.—In conformity with your request of June 22, 1917, we herewith submit our report and recommendation for a plan whereby the service

of persons convicted of vagrancy can be utilized in productive work, as well as some suggestions upon related matters.

In developing a workable program for the treatment of persons convicted of vagrancy, we are confronted with legal restrictions which render the problem rather difficult—so much so that we cannot make the recommendations as extensive and intensive as might be done under other circumstances. If the State of Ohio were under martial law, we would be unhampered; but we are in a status of peace and under civil law so far as our own affairs are concerned.

The only safe legal assumption that we can take is that a person cannot be classed as a vagrant until some court has so declared. There doubtless exists in our state large numbers of persons who are loiterers without any known means of support who would find it difficult to convince a court that they should not be classified and punished as vagrants.

A vagrant under our General Code is given a general definition in Section 13409 as "A male person able to perform manual labor who has not made reasonable effort to procure employment or has refused labor at reasonable prices." The section further provides a maximum penalty of fifty dollars.

Section 3664, a part of the municipal code, among other things permits municipalities to pass an ordinance for the punishment of vagrants and common street beggars. The definition of vagrant is doubtless left for statement in the terms of the ordinance. The following section (3665) permits the fixing of a more severe punishment than is found in the general law referred to above (Section 13409).

There is a permissible scale of imprisonment:

First offense, not more than thirty days;

Second offense, not more than ninety days;

Third offense, not more than six months;

Fourth or greater offense, not more than one year.

To the above may be added a fine of not more than fifty dollars.

There is an interesting plan of cumulative sentence set forth in Section 13741, which is not used to any great extent. This section provides that any person who is convicted and sentenced for the fourth or greater time for violation of state laws or of municipal ordinances shall be considered an "habitual offender" and, if such statement is properly set forth at his trial, he may be sentenced to a workhouse for a term of one to three years. Subsequent sections provide for parole of such prisoners and for proper supervision while upon parole. Section 4131 relates to the same matter but restricts the offenses to those committed within Ohio.

In connection with the treatment of the so-called vagrant there is an attempt made in Section 13408 to define tramp, who upon conviction may be sentenced to the penitentiary for from one to three years. This section has so many limitations that it cannot be made to apply to the person commonly known as a tramp unless he acts in some of the definite ways set forth therein.

Assuming that by use of general state law, or by means of a suitable municipal ordinance, vagrants have been arrested and convicted, we confront the main question submitted to this committee: "How can they be utilized in productive work?" Many of our communities have no workhouses and no contract has been made with existing workhouses which have a limited capacity, and some of them are not engaged in very productive work. The alternative

in such cases is commitment to a municipal or a county jail, where there is usually no productive labor of any kind provided. Convictions under such circumstances are an added expense and nothing of benefit is accomplished. This situation causes the practice in many communities of remitting the fines or suspending the sentence on condition that the offender immediately "moves on."

The workhouses are confronted with the limitations of Section 41 of Article II of the constitution of Ohio which restricts the labor activities of such institutions. The local market for manufactured articles is so small and the outside objections offered so many that very little work is done within the walls that may be considered productive.

There is a strong tendency to change to farm colonies, but this requires the consent of the voters to secure the necessary funds which have been denied in several instances. It is obvious that all prisoners on a farm colony cannot be used in purely agricultural activities. Unless quarries and paving brick plants are possible on such farms, no very profitable result will follow.

By a combination of farming, crushing stone and making brick the correction farm colony owned by the District of Columbia at Occoquan, Virginia, has offered an abundance of profitable labor for hundreds of offenders in all seasons of the year. A similar development of the state farm for misdemeanants near Greencastle, Indiana, has shown the feasibility of centralized state control in places where diversified employment can be provided.

Centralized state control in Ohio would require additional legislation, but this committee is of the opinion that such control is necessary before the vagrant and tramp, as well as other misdemeanants, can be successfully handled in productive labor.

Under existing laws, nevertheless, the case is not hopeless. Sections 7500 to 7514, as found on page 656 of Vol. 106, Ohio Laws, provided a definite plan for the use of prisoners in jails and other penal institutions in the preparation of road building materials and in the performance of labor in the building and repair of streets and roads. The State Highway Commissioner, county commissioners and city officials are given very definite authority in these sections. Furthermore, cities having workhouses are empowered by Section 2227-4 to use prisoners for public work outside of such institutions. Selected prisoners are now being assigned in some cities to do work in parks, on streets and upon other public lands and within public buildings. In other instances groups under light guard have been engaged in street grading, etc.

While this report may seem to emphasize imprisonment as a means of disciplining the work shirker, yet we must emphasize the increased application of the parole law; provided there is a willingness to expend some money for paid supervisors of paroled men. Attention might be given to the development of a staff of volunteer parole officers, as is done very effectively in some localities.

Furthermore there is abundant opportunity to develop and apply the principles of the suspended sentence, or probation, as set forth in Section 13706 to 13715, especially in the case of resident vagrants or loafers.

The probation law has been given an interesting application in Youngstown, Ohio, where there has been a marked shortage of common labor. Through the Chamber of Commerce arrangements were made with the railway companies to use convicted persons in freight houses to truck freight. The Police Judge approved the plan and has been providing groups of men

under suspended sentences for these freight stations. He made it a condition of the suspended sentence that they receive wages, and that they room and board at buildings provided by a social service agency, where they could be kept under supervision and observation. The wages of the men paid all expenses. The results of such an arrangement have been:

1. It provided needed employes.
2. It removed from streets and public places a number of known loafers or vagrants.
3. It saved expense of commitment to a workhouse in another city.
4. Wages more than sufficient to pay expenses for care of men; surplus given to dependent families.
5. Bums are not inclined to "hobo" to Youngstown.
6. Normal employment under almost normal conditions.
8. Some men received a new impulse to work after full release from conditions of probation.

Doubtless other forms of group employment could be developed in other cities where the court, the business interests and the social agencies will get together on an agreed plan.

In this connection it seems proper to call attention to practice's in some communities which have a tendency to encourage vagrancy, especially of the itinerant type.

1. In many cities it is a common practice to afford lodging in city jails and station houses to all applicants, often with the kindly injunction the next morning to "move on."

2. Lodging houses under private management are often not sufficiently exacting in their methods. As long as the applicant has the price of a bed no other test for admission is applied. The applicant may beg the money on the street, get his lodging at a nominal cost, and thus vagrancy is encouraged. Wherever possible the conditions of service should include some form of light labor, as well as an insistent subjection to personal cleanliness. This discourages the inveterate vagrant. Municipalities should by ordinance provide for strict regulation and inspection by health departments of all establishments known as lodging houses.

3. Riding on a freight train is a favorite means of transportation for the transient vagrant. This practice causes a great annoyance to railroad officials, and it is claimed that much loss to railroad property is a result of this practice. Police authorities should aid railroad policemen to abate the practice, but again the city does not care to incur the expense of convicting a non-resident and he is cheerfully allowed to "move on."

It is very obvious that many phases of vagrancy can be handled successfully only as a state problem, and the convicted offenders cared for in state controlled institutions, but this is not possible under existing laws. We even venture the opinion that all petty offenders should be under state control in state institutions with definite forms of productive labor, as from this larger army of petty offenders come many of the smaller group of felons who only at the height of their criminal careers are given over to the custody and care of the state with a belated hope that they may be reformed.

The Ohio Branch Council of National Defense has been calling upon various state departments for assistance and service in securing special information.

It has been suggested to this committee that we needed more definite data concerning the degree and extent of vagrancy and that such information should be secured at an early date through some special census. We believe that the best and most immediate results can be secured by commanding officials and boards in touch with local institutions and officials to secure by special investigations and reports such obtainable data as may be desired from time to time.

Recommendations

We, therefore, offer the following suggestions for immediate action:

1. That municipal officials be urged to enforce rigidly the provisions of Section 13409 in case there is no special ordinance as authorized by Section 3664, and that township officials enforce the former section.

2. That municipalities which do not have an ordinance embracing the maximum provisions of Section 3665 be requested to pass such an ordinance at an early date.

3. That the attention of police judges and prosecutors be called to the habitual offender act (Section 13741), as many chronic vagrants will be found in this class.

4. That, while vigorous prosecution for vagrancy is encouraged, the municipal courts be urged to use the probation principles of the suspended sentence law and that city councils be requested to provide adequate funds for needed probation officers as required by Section 13712, so that commercial and civic organizations will be encouraged to organize plans for the group employment of convicted vagrants and loiterers under strict supervision.

5. That authorities in charge of workhouses develop a plan for intensive and intelligent use of parole system.

6. That mayors be urged to have entire police department co-operate with the state employment agency of their respective districts, to ascertain whether a suspected vagrant was really willing to work when opportunity to do so is offered.

7. That police departments submit monthly reports to the Ohio Branch Council of National Defense as to the number of arrests for vagrancy and their disposition.

8. That the larger cities designate one or more plain clothes men as mendicancy officers, whose names should be listed with Council of Defense so as to afford a convenient exchange for special cases.

9. That vagrants of a chronic type who probably would not respond to local care and who are guilty of some of the specific offenses designated in Section 13408, be indicted and prosecuted as tramps; attention of city and county authorities should be called to this section.

10. That no convicted vagrant be allowed or ordered to "move on" except when it is reasonably certain that such action is warranted by the fact that he will have definite employment at a certain destination. Such cases should always be referred to the proper district employment bureau. Vagrancy must be vigorously prosecuted wherever found by local government unit, if the state as a whole will to any degree meet the problem.

11. That the Ohio Branch Council of National Defense from time to time utilize the service of the Ohio Board of State Charities, which by law has authority to investigate all public correctional and benevolent institutions and to demand reports from certain officials to secure information concerning the

extent of the parole and probation systems, the extent of the application of work tests for the recipients of public relief as set forth in Section 3493, the extent of the use of county and city prisoners on street, road or other public work, and the extent that public officials may by carrying on other permitted activities by convicted persons; also to study the means whereby greater activities in these lines may be obtained; and also to encourage and urge their fullest possible use.

Proposed Legislation

For legislative action we recommend the following:

1. Strengthening of Section 13408 and 13409 relating to tramps and vagrants.
2. Passage of law relating to idleness and vagrancy during war, similar to act passed in West Virginia, May 19, 1917. (See this number, p. 0000.)
3. The Governor is requested to appoint a special advisory commission, similar to the Prison Commission appointed in 1913, or to designate some existing Board, Commission or Agency, to study the entire workhouse and misdemeanor problem and to prepare a plan for legislative action.

Appended to this report will be found the text of a number of the sections of the General Code referred to in this report. There is also appended a suggested ordinance, prepared by the Attorney General, for adoption by municipal councils, in accordance with Section 3664 and 3665. (Text of law not printed.) (See this number, p. 000.)

Respectfully submitted, H. H. Shirer, Chairman; W. A. Greenlund, James L. Fieser, J. M. Hanson, D. Frank Garland. (From Ohio Bulletin of Charities and Correction, Dec., 1917.)

Suggested Ordinance Relative to Begging, Etc.—

Be it Ordained by the Council of the City of....., State of Ohio:

SECTION 1. That any person who, within the corporate limits of the city of....., State of Ohio, wanders about from place to place or begs in the streets or public places or lives without labor or visible means of support, or acts in a suspicious manner and is unable to give a reasonable account of himself, shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in a sum not to exceed \$50.00 and costs of prosecution.

SEC. 2. That this ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed....., 1917

..... Clerk President

West Virginia Law Relative to Idleness and Vagrancy.—

An Act to prevent idleness and vagrancy in West Virginia during the continuance of the war in which the United States is now engaged.

Be it Enacted by the Legislature of West Virginia:

SECTION 1. It is hereby declared to be the duty of every able-bodied male resident of this state, between the ages of sixteen and sixty years, to habitually and regularly engage in some lawful, useful and recognized business, profession, occupation or employment whereby he may produce or earn sufficient to support himself and those legally dependent upon him.

SEC. 2. From the time this act becomes effective, and thenceforward until six months after the termination of the present war between the United States